

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Twelfth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 5, 1984 - June 20, 1985

STATE OF MAINE
One Hundred and Twelfth Legislature
First Regular Session
JOURNAL OF THE SENATE
In Senate Chamber
Thursday
January 31, 1985
Senate called to order by the President.

Prayer by Father Royal J. Parent of Saint Teresa's Catholic Church in Brewer.

FATHER PARENT: Father in heaven, ruler of nations, be with all of your people and their governments. Inspire our lawmakers to pursue the good of all according to Your law.

Grant freedom to our brothers and sisters who are enduring bodily or spiritual chains.

May our young people be concerned with remaining blameless in Your sight, and may they generously follow Your call to love You and one another.

May our children grow in wisdom and prepare themselves to provide the leadership we need in years to come.

Accept our dead brothers and sisters into Your eternal kingdom where we hope to reign with you forever, Amen.

Reading of the Journal of Yesterday.

Out of order and under suspension of the rules:

On motion by Senator VIOLETTE of Aroostook, the following Senate Order:

ORDERED, that a message be sent to the House of Representatives proposing a Convention of both branches in the Hall of the House of Representatives at 6:30 p.m. for the purpose of extending to His Excellency, Governor Joseph E. Brennan, an invitation to attend the Convention and make such communication as please him.

Which was **READ** and **PASSED**.

The President appointed Senator VIOLETTE of Aroostook to deliver the message, the Senator retired to the Hall of the House and subsequently reported that he had performed the duties with which he was charged.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Amend the Weights and Measures Law" (H.P. 233) (L.D. 274)

Comes from the House referred to the Committee on **AGRICULTURE** and **ORDERED PRINTED**.

Which was referred to the Committee on **AGRICULTURE** and **ORDERED PRINTED**, in concurrence.

Resolve, to Authorize State Funding of the Penobscot Nation Museum (H.P. 239) (L.D. 280)

Committee on **JUDICIARY** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED**.

Which was referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Establish a Maine Self-service Storage Act" (H.P. 234) (L.D. 275)

Comes from the House referred to the Committee on **BUSINESS AND COMMERCE** and **ORDERED PRINTED**.

Which was referred to the Committee on **BUSINESS AND COMMERCE** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Create the Northern and Eastern Maine Emergency Forestry District" (H.P. 245) (L.D. 286)

Committee on **TAXATION** suggested and **ORDERED PRINTED**.

Comes from the House, referred to the Committee on **ENERGY AND NATURAL**

RESOURCES and **ORDERED PRINTED**.

On motion by Senator VIOLETTE of Aroostook referred to the Committee on **TAXATION** and **ORDERED PRINTED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

At this point a message was received from the House of Representatives through Representative DIAMOND of Penobscot concurring in the proposition for a Joint Convention.

Bill "An Act to Establish Policies Governing Smoking in Places of Work" (H.P. 235) (L.D. 276)

Bill "An Act to Amend the Certificate of Need Act" (H.P. 236) (L.D. 277)

Comes from the House referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**.

Which were referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Amend the Medical Radiation, Health and Safety Act" (H.P. 167) (L.D. 201)
Committee on **ENERGY AND NATURAL RESOURCES** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**.

Which was referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Abolish the Insanity Defense but Permit a Verdict of Guilty but Suffering from Mental Disease or Defect" (H.P. 237) (L.D. 278)

Bill "An Act Relating to Criminal Offenses on the Penobscot Reservation" (H.P. 238) (L.D. 279)

Comes from the House referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.

Which were referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**, in concurrence.

Bill "An Act Requiring the Presence of a 2nd Physician when Abortions are Performed after Viability" (H.P. 109) (L.D. 134)

Committee on **HUMAN RESOURCES** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.

Which was referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Limit Payment of Attorneys' Fees Under the Workers' Compensation Law" (H.P. 240) (L.D. 281)

Comes from the House referred to the Committee on **LABOR** and **ORDERED PRINTED**.

Which was referred to the Committee on **LABOR** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Enable Use of Certain Procedures for Absentee Ballots" (H.P. 241) (L.D. 282)

Bill "An Act to Amend the Laws Relating to Private Investigators" (H.P. 242) (L.D. 283)

Bill, "An Act to Limit Contributions which Candidates may Receive from Political Action Committees." (H.P. 243) (L.D. 284)

Comes from the House referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**.

Which were referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Change the Way the Maximum Rate of Interest on Delinquent Taxes is

Calculated" (H.P. 244) (L.D. 285)

Comes from the House referred to the Committee on **TAXATION** and **ORDERED PRINTED**.

Which was referred to the Committee on **TAXATION** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Require Seat Belts for Persons Riding in Open-back Vehicles" (H.P. 246) (L.D. 287)

Comes from the House referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**.

Which was referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Convert Customer Charges to Minimum Charges for Small Electric Companies" (H.P. 247) (L.D. 288)

Comes from the House referred to the Committee on **UTILITIES** and **ORDERED PRINTED**.

Which was referred to the Committee on **UTILITIES** and **ORDERED PRINTED**, in concurrence.

COMMUNICATION

The Following Communication: (S.P. 132)

STATE OF MAINE

112th LEGISLATURE

January 30, 1985

The Honorable N. Paul Gauvreau
The Honorable Daniel Hickey
Chairpersons, Committee on Aging, Retirement and Veterans

112th Legislature

Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Gerald M. Tabenken of Bangor for appointment to the Board of Trustees of the Maine State Retirement System.

Pursuant to Title 5 MRSA Section 1031, this nomination will require review by the Joint Standing Committee on Aging, Retirement and Veterans and confirmation by the Senate.

Sincerely,

S/CHARLES P. PRAY

President of the Senate

S/JOHN L. MARTIN

Speaker of the House

Which was **READ** and referred to the Committee on **AGING, RETIREMENT AND VETERANS**.

Sent down for concurrence.

SENATE PAPERS

Bill "An Act to Amend the Home Weatherization Program" (S.P. 104) (L.D. 319) (Presented by Senator CARPENTER of Aroostook) (Cosponsored by: Representative SCARPINO of St. George, Representative O'GARA of Westbrook)

Bill "An Act to Provide for Equitable Treatment to Certain State Employees who did not Receive the Benefits of the Retroactive Pay Raises made to State Employees under the Collective Bargaining Agreements" (S.P. 105) (L.D. 320) (Presented by Senator TWITCHELL of Oxford) (Cosponsored by: Representative DAGGETT of Manchester)

Which were referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED**.

Sent down for concurrence.

Resolve, Approving the Standards and Regulations Adopted Under the Chemical Substance Identification Law" (S.P. 106) (L.D. 321) (Presented by Senator USHER of Cumberland) (Cosponsored by: Representative MICHAUD of Medway, Senator KANY of Kennebec, Senator GAUVREAU of Androscoggin)

(Submitted by the Department of Labor pursuant to Joint Rule 24)

Committee on **BUSINESS AND COM-**

MERCE suggested and **ORDERED PRINTED.**

On motion by Senator **VIOLETTE** of Aroostook referred to the Committee on **ENERGY AND NATURAL RESOURCES** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Change the Name of the University of Maine Blueberry Advisory Committee" (S.P. 107) (L.D. 322) (Presented by Senator **PERKINS** of Hancock) (Cosponsored by: Senator **ERWIN** of Oxford, Representative **McCOLLISTER** of Canton, Representative **CONNERS** of Franklin)

Committee on **EDUCATION** suggested and **ORDERED PRINTED.**

On motion by Senator **VIOLETTE** of Aroostook Tabled until later in today's session, pending **REFERENCE.**

Bill "An Act to Amend the Maine Certificate of Need Act to Define More Clearly the Legal Requirement for Ex Parte Contracts During the Certificate of Need Process, Consistent with the Maine Administrative Procedure Act" (S.P. 108) (L.D. 323) (Presented by Senator **PERKINS** of Hancock) (Cosponsored by: Senator **BUSTIN** of Kennebec, Representative **CARROLL** of Gray, Representative **PINES** of Limestone)

Which was referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Permit State Courts to Remain Open on the Day of a Statewide Primary or General Election" (S.P. 109) (L.D. 324) (Presented by Senator **CARPENTER** of Aroostook) (Cosponsored by: Representative **KANE** of S. Portland, Senator **CHALMERS** of Knox)

Bill "An Act Providing for Change of Venue of Criminal Cases" (S.P. 110) (L.D. 325) Presented by Senator **CARPENTER** of Aroostook, Cosponsored by: Representative **KANE** of S. Portland, Representative **MacBRIDE** of Presque Isle, Senator **CHALMERS** of Knox)

Which were referred to the Committee on **JUDICIARY** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Require the Employer to Pay for Eye Examinations Under a Company Mandated Eyeglass Safety Program for Eyeglass Wearers" (S.P. 111) (L.D. 326) (Presented by Senator **ERWIN** of Oxford) (Cosponsored by: Senator **PRAY** of Penobscot, Representative **BEAULIEU** of Portland, Representative **SWAZEY** of Buckport)

Which was referred to the Committee on **LABOR** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Amend the Law Relating to Mileage and Compensation of Jurors" (S.P. 112) (L.D. 327) (Presented by Senator **CARPENTER** of Aroostook) (Cosponsored by: Representative **KANE** of S. Portland, Representative **MacBRIDE** of Presque Isle, Senator **CHALMERS** of Knox)

Bill "An Act to Change the Voting Booth Requirements" (S.P. 113) (L.D. 328) (Presented by Senator **DIAMOND** of Cumberland) (Cosponsored by: Representative **BONNEY** of Falmouth)

Bill "An Act to Allow in Kind Contribution to be Descriptively Reported under the Election Laws" (S.P. 114) (L.D. 329) (Presented by Senator **SEWALL** of Lincoln) (Cosponsored by: Representative **SPROUL** of Augusta, Representative **WILLEY** of Hampden)

Which were referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Establish the Boundry be-

tween Machias and Machiasport" (S.P. 115) (L.D. 330) (Presented by Senator **BROWN** of Washington) (Cosponsored by: Representative **RANDALL** of E. Machais, Representative **VOSE** of Eastport)

Which were referred to the Committee on **LOCAL AND COUNTY GOVERNMENT** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Prevent Combining more than One Bond Issue Subject in a Single Bond Issue Bill" (S.P. 116) (L.D. 331) (Presented by Senator **WEBSTER** of Franklin) (Cosponsored by: Representative **SPROUL** of Augusta, Representative **HICHBORN** of LaGrange, Representative **WENTWORTH** of Wells)

Which was referred to the Committee on **STATE GOVERNMENT** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Increase the Income Benefit Limitations Under the Elderly Householders Tax and Rent Refund Act" (S.P. 117) (L.D. 332) (Presented by Senator **TUTTLE** of York) (Cosponsored by: Senator **DIAMOND** of Cumberland, Representative **McCOLLISTER** of Canton, Representative **ZIRNKILTON** of Mount Desert)

Which was referred to the Committee on **TAXATION** and **ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Preserve Affordable Telecommunications Equipment for Customers with Special Needs" (Emergency) (S.P. 118) (L.D. 333) (Presented by Senator **ANDREWS** of Cumberland) (Cosponsored by: Representative **McHENRY** of Madawaska, Senator **MATHEWS** of Kennebec, Representative **WEYMOUTH** of West Gardiner) (Submitted by the Office of Public Advocate pursuant to Joint Rule 24)

Bill "An Act to Simplify and Clarify the Public Utilities Commission's Authority Over Utility Issuance of Stocks, Bonds and Notes" (S.P. 119) (L.D. 334) (Presented by Senator **BALDACCI** of Penobscot) (Cosponsored by: Representative **RICHARD** of Madison, Representative **E. PARADIS** of Old Town, Representative **WEYMOUTH** of West Gardiner) (Submitted by the Office of Public Advocate pursuant to Joint Rule 24)

Bill "An Act to Protect Tenants when Landlords Fail to Pay Utility Bills" (S.P. 120) (L.D. 335) (Presented by Senator **ANDREWS** of Cumberland) (Cosponsored by: Representative **RICHARD** of Madison, Representative **HANDY** of Lewiston, Senator **BALDACCI** of Penobscot) (Submitted by the Office of Public Advocate pursuant to Joint Rule 24.)

Which were referred to the Committee on **UTILITIES** and **ORDERED PRINTED.**

Sent down for concurrence.

ORDERS Joint Order

On motion by Senator **TUTTLE** of York, (Cosponsors: Senator **PRAY** of Penobscot, Representative **BEAULIEU** of Portland, and Representative **MARTIN** of Eagle Lake), the following Joint Order: (S.P. 121)

WHEREAS, imported shoes have severely injured the shoe industry in the State of Maine; and

WHEREAS, Maine, as the leading shoe-producing state in the nation, has been suffering from the damage of skyrocketing imports during the past several years; and

WHEREAS, hundreds of Maine workers have been displaced by the closing of shoe manufacturers throughout the State; and

WHEREAS, it is vital that action be taken to improve the status of the shoe industry in the State in order to prevent further decline of this important state industry; now, therefore, be it,

ORDERED, the House concurring, that there

is established a Joint Select Committee to Study the Shoe Industry in the State, and be it further

ORDERED, that the committee shall consist of 7 members, as follows: Four members of the House of Representatives to be appointed by the Speaker of the House and 3 members of the Senate to be appointed by the President of the Senate. The President of the Senate and the Speaker of the House shall be ex officio members of this committee. The committee shall select a chairman from among its members; and be it further

ORDERED, that the committee shall study:

1. The current status of the shoe industry in the State of Maine and the future potential of the industry;

2. The impact of imports on the industry;

3. Current marketing strategies and possible strategies which could improve the position of the industry;

4. Possible incentives which might be offered to the industry, including, but not limited to, tax incentives offered to shoe manufacturers and to purchasers of domestic shoes;

5. The feasibility of state subsidies for the shoe industry;

6. Labor practices, quality controls, mechanization techniques and other industry practices which might effect the efficient operation of the industry; and;

7. Such other issues as the committee may determine are relevant to the economic survival of the shoe industry in the State, and be it further

ORDERED, that the committee shall present its findings together with any recommended legislation, to the Second Regular Session of the 12th Legislature; and be it further

ORDERED, that the committee is authorized to seek assistance from representatives of the shoe industry, labor organizations in the shoe industry, State Development Office, State Planning Office, Maine Development Foundation, the Department of Labor; and be it further

ORDERED, that the Office of Legislative Assistants shall provide assistance to the committee in carrying out its charge; and be it further

ORDERED, that the members of the committee shall not receive any compensation, but shall be reimbursed for their necessary expenses.

Which was **READ.**

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Tuttle.

Senator **TUTTLE:** Mr. President and Members of the Senate, during my campaign for the State Senate, I have become painfully aware of many problems facing some of our State's most dedicated employees and employers. Nowhere is that hardship more evident than in the State's wanning shoe industry. It is because of what I have learned in recent months, that I am calling upon you for assistance. I'm fearful that by not acting, we will soon find the State's shoe industry in utter chaos.

After discussing this matter with several other Legislators, I am convinced that a special select committee should be established. The purpose of this committee would be to investigate ways in which the State could assist this ailing industry. This includes the development of possibly a marketing strategy in which all shoe industry interests could take part.

Over the last three years Maine's shoe industry has been placed in a terrible position—hundreds upon hundreds of jobs have been lost and the future of this industry looks bleak—unless something is done and soon. I feel that unless we do something we will see more and more shoe plant closings as a result, and more and more jobs lost around the State. Already we have witnessed the closing of G.H. Bass in North Jay; Farmington Shoe in Farmington; Melville Shoe in Brunswick; and Nike Shoe in

in Sanford.

Maine is the leading shoe production State in the nation right now, but I feel it's less than a testament of our success than it is a horror story and demise of the entire industry. I am convinced that without substantial action by either the State or Federal Government, the shoe industry as we know it, will be nonexistent within five years.

In recent months I have toured several factories throughout my district: among them, Duchess Shoe in South Berwick and Elcon Shoe in Sanford. The people have a daily fear that this will be the last day which they will hold a job. It is a fear which consumes them and causes havoc in their personal lives.

The case is easily made that something must be done. The time for us to act is now. Thank you.

Which was **PASSED**.

Sent down for concurrence.

COMMITTEE REPORTS House

Leave to Withdraw

The following **Leave to Withdraw** report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Require Legislative Approval of all Public Improvements Involving the State House" (Emergency) (H.P. 6) (L.D. 5)

Senate at Ease

Senate called to order by the President.

ORDERS OF THE DAY

The President laid before the Senate the first tabled and specially assigned matter:

Bill "An Act to Establish the Department of Post-secondary Vocational-technical Education" (H.P. 162) (L.D. 196)

Tabled—January 30, 1985, by Senator **VIOLETTE** of Aroostook
Pending—**REFERENCE**

(In House January 29, 1985, referred to the Committee on **EDUCATION** and **ORDERED PRINTED**.)

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Brown.

Senator **BROWN:** Mr. President in reference to the first tabled and specially assigned item, "An Act to Establish the Department of Post-secondary Vocational-technical Education", I move that that be referred to the Committee on Education.

THE PRESIDENT: The Senator from Washington, Senator Brown moves that L.D. 196 be referred to the Joint Standing committee on Education.

The Chair recognizes the Senator from Kennebec, Senator Kany

Senator **KANY:** Mr. President and Members of the Senate, I hope that you vote against this motion, and I ask for a division, and I'd like to tell you why.

Unfortunately it's too bad to have a reference fight. None of us like them. The State Government Committee historically has always looked at any new departments, any restructuring of government itself. That's what this Bill does precisely, it would create a new department. I do hope that you vote against the pending motion, so we can then refer this bill to the State Government Committee.

I can promise you all that the State Government Committee would cordially invite the Education Committee to come and join us for our hearings and work sessions, and we'd be happy to work very closely with them.

I would like to mention again that the State Government Committee plans to focus on economic development this year. Certainly we should be considering the vocational-technical institutes and what they can offer as we evaluate, and as we recommend economic development policy for the State of Maine.

Regardless of that creating a new department is a restructuring of the State Government, and I hope you reject the motion before you in the division which I have sought. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Senator **HICHENS:** Mr. President and Members of the Senate, I'm sort of in an awkward position this morning because I am a member of both the Education and the State Government Committees, and so either way I speak, I am going to be against my chairman.

I will have to agree with the Senator from Waterville, Senator Kany that this should go to State Government, because it is a department change. My experience on both committees of last year, I have noticed that all of these bills which were department changes have gone to State Government, so I would urge you to vote to send it there.

THE PRESIDENT The Chair would remind the Senators that according to the Joint Rules when you refer to another Senator you refer to them by the County in which they reside.

The Chair recognizes the Senator from Washington, Senator Brown.

Senator **BROWN:** Thank you, Mr. President. Ladies and Gentlemen of the Senate, I appreciate very much the kind comments of the good Senator from York, Senator Hichens and also the good Senator from Kennebec, Senator Kany in regard to referencing this Bill.

What we have here, and I wish you would take a look at the Bill, L.D. 196, and the Statement of Fact— what we have is we're taking a department and starting a new department. If we were starting just a brand new department of government, not affecting any other, I would agree completely it should go to State Government, that's not what's happening here. We're taking an already existing entity and we're going to tear out a section of that entity to start a new division.

In the Statement of Fact, after it's all done, wherever it goes, and if the thing were successful, it will eventually come back to the Education Committee to deal with. It would seem very appropriate that we should hear this Bill in the Education Committee. It was part of the special package that we had last fall dealing with Education. It was referred to the Education Committee at that time, and it seems appropriate that we should also be the ones to hear it this time. Thank you, Mr. President.

THE PRESIDENT: A division has been requested. The pending question is the motion by the Senator from Washington, Senator Brown that this Bill be referred to the Joint Standing Committee on Education.

Will all those Senators in favor of the motion, to send this Bill to the Joint Standing Committee on Education, please rise in their places to be counted.

Will all those Senators opposed, please rise in their places to be counted.

11 Senators having voted in the affirmative, and 15 Senators having voted in the negative, the motion to refer this Bill to the Joint Standing Committee on **EDUCATION FAILED**.

On motion by Senator **KANY** of Kennebec referred to the Committee on **STATE GOVERNMENT** and **ORDERED PRINTED**, in **NON-CONCURRENCE**.

The Chair recognizes the Senator from Kennebec, Senator Kany.

Senator **KANY:** Mr. President and Members of the Senate, I further move Reconsideration and hope that you all vote against me.

THE PRESIDENT: The Senator from Kennebec, Senator Kany moves that the Senate reconsider its actions whereby the bill was referred to the Committee on **STATE GOVERNMENT**.

The Chair recognizes the Senator from Kennebec, Senator Kany.

Senator **KANY:** I request a Division.

THE PRESIDENT: A Division has been

requested.

The pending motion before the Senate is the motion by Senator Kany of Kennebec to Reconsider whereby the Bill was referred to the Committee on State Government.

Will all those Senators in favor of the motion to Reconsider, please rise in their places to be counted.

Will all those Senators opposed, please rise in their places to be counted.

No Senators having voted in the affirmative, and 26 Senators having voted in the negative, the motion to **RECONSIDER, FAILED**.

Sent down for concurrence.

The President laid before the Senate the second tabled and specially assigned matter:

Bill "An Act Relating to the Time of Penobscot Nation Trust Land Acquisition" (S.P. 99) (L.D. 297)

Tabled—January 30, 1985, by Senator **VIOLETTE** of Aroostook
Pending—**REFERENCE**
(Committee on **JUDICIARY** suggested and **ORDERED PRINTED**.)

On motion by Senator **VIOLETTE** of Aroostook referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**.

Sent down for concurrence.

There being no objection all matters previously acted upon were sent forthwith.

On motion by Senator **VIOLETTE** of Aroostook, the Senate removed from the Table: Bill "An Act to Change the Name of the University of Maine Blueberry Advisory Committee" (S.P. 107) (L.D. 322)

Tabled—January 31, 1985, by Senator **VIOLETTE** of Aroostook
Pending—**REFERENCE**
(Committee on **EDUCATION** suggested and **ORDERED PRINTED**.)

On motion by Senator **VIOLETTE** referred to the Committee on **AGRICULTURE** and **ORDERED PRINTED**.

Sent down forthwith for concurrence.

(Off Record Remarks)

On motion by Senator **CLARK** of Cumberland,

RECESSED until 6 p.m. today.

Recess

After Recess

The Senate called to order by the President.

Out of order and under suspension of the rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Non-concurrent Matter

Bill "An Act to Restrict the Payment of Unemployment Compensation Benefits to Workers Who are on Strike" (H.P. 175) (L.D. 209)

In House January 29, 1985, referred to the Committee on **LABOR** and **ORDERED PRINTED**.

In Senate January 30, 1985, Bill and accompanying papers **INDEFINITELEY POSTPONED**, in **NON-CONCURRENCE**.

Comes from the House that **Body INSISTED**. On motion by Senator **TWITCHELL** of Oxford, the Senate **RECEDED** and **CONCURRED**.

Bill "An Act for the Repeal of Obsolete Provisions Providing Accidental Death Benefits" (H.P. 248) (L.D. 302)

Comes from the House referred to the Committee on **AGING, RETIREMENT AND VETERANS** and **ORDERED PRINTED**.

Which was referred to the Committee on **AGING, RETIREMENT AND VETERANS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Revise Rules Governing Certification of Seed Potatoes" (H.P. 249) (L.D.

303)

Bill "An Act to Shorten the Final Pay Settlement for Milk Dealer to Producers" (H.P. 250) (L.D. 304)

Bill "An Act to Establish a Maine Agricultural Limestone Material Act" (H.P. 251) (L.D. 305)

Come from the House referred to the Committee on **AGRICULTURE** and **ORDERED PRINTED**.

Which was referred to the Committee on **AGRICULTURE** and **ORDERED PRINTED** in concurrence.

Bill "An Act to Increase Contributions from the General Fund for Support of Education" (H.P. 252) (L.D. 306)

Bill "An Act to Provide Funding for Mapping of Streams in the Jurisdiction of the Maine Land Use Regulation Commission" (H.P. 253) (L.D. 307)

Come from the House referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED**.

Which were referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Conform Mortgage Lending Authority Among Financial Institutions" (H.P. 254) (L.D. 308)

Bill "An Act to Require Public Rest Rooms in all Shopping Centers" (H.P. 255) (L.D. 309)

Bill "An Act Relating to Loans and Investments by Financial Institutions" (H.P. 256) (L.D. 310)

Come from the House referred to the Committee on **BUSINESS AND COMMERCE** and **ORDERED PRINTED**.

Which were referred to the Committee on **BUSINESS AND COMMERCE** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Mandate a Course in Cardiopulmonary Resuscitation in High Schools" (H.P. 257) (L.D. 311)

Bill "An Act Relating to Requirements for Withdrawal from a School Administrative District" (H.P. 258) (L.D. 312)

Bill "An Act Concerning Truancy" (H.P. 259) (L.D. 313)

Bill "An Act to Provide for a Truth in Testing Act" (H.P. 260) (L.D. 314)

Come from the House referred to the Committee on **EDUCATION** and **ORDERED PRINTED**.

Which were referred to the Committee on **EDUCATION** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Preserve Maine's Freshwater Wetlands" (H.P. 262) (L.D. 316)

Bill "An Act to Control Acid Rain" (H.P. 263) (L.D. 317)

Come from the House referred to the Committee on **ENERGY AND NATURAL RESOURCES** and **ORDERED PRINTED**.

Which were referred to the Committee on **ENERGY AND NATURAL RESOURCES** and **ORDERED PRINTED**, in concurrence.

Bill "An Act Requiring Employee Rest Breaks" (H.P. 264) (L.D. 318)

Come from the House referred to the Committee on **LABOR** and **ORDERED PRINTED**.

Which was referred to the Committee on **LABOR** and **ORDERED PRINTED**, in concurrence.

SENATE PAPERS

Bill "An Act to Provide for Licensing of Companies Who Apply Pesticides as Custom or Commercial Applicators" (S.P. 133) (Presented by Senator **BROWN** of Washington) (Cosponsored by: Representative **MICHEAL** of Auburn, Representative **McCOLLISTER** of Canton) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24)

Which was referred to the Committee on **AGRICULTURE** and **ORDERED PRINTED**. Sent down for concurrence.

Bill "An Act to Provide Housing Resources to Maine's Older Citizens" (S.P. 134) (Presented by Senator **BUSTIN** of Kennebec) (Cosponsored by: Representative **CONNOLLY** of Portland, Representative **HAYDEN** of Durham, Representative **MELENDY** of Rockland)

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and **ORDERED PRINTED**.

On motion by Senator **VIOLETTE** of Aroostook the Bill and accompanying papers was **INDEFINITELY POSTPONED**.

Sent down for concurrence.

Bill "An Act to Regulate Public Swimming Pools and Spas" (S.P. 135) (Presented by Senator **BERUBE** of Androscoggin) (Cosponsored by: Representative **PINES** of Limestone, Representative **NELSON** of Portland, Representative **MANNING** of Portland)

Which was referred to the Committee on **HUMAN RESOURCES** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Clarify Municipal Authority over Automobile Graveyards and Junkyards" (S.P. 136) (Presented by Senator **MAYBURY** of Penobscot) (Cosponsored by: Representative **RUHLIN** of Brewer)

Bill "An Act to Allow Housing Authority Boards to Appoint Alternative Commissioners" (S.P. 137) (Presented by Senator **MAYBURY** of Penobscot) (Cosponsored by: Representative **RUHLIN** of Brewer)

Which were referred to the Committee on **LOCAL AND COUNTY GOVERNMENT** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Amend the Maine Administrative Procedure Act to Require the Federal and State Statutes and Regulations" (S.P. 138) (Presented by Senator **HICHENS** of York) (Cosponsored by: Representative **BOULTILIER** of Lewiston, Senator **BROWN** of Washington)

Bill "An Act to Designate the Day of the State General Election a State Holiday" (S.P. 139) (Presented by Senator **TUTTLE** of York) (Cosponsored by: Representative **PAUL** of Sanford, Representative **HANDY** of Lewiston, Senator **MATTHEWS** of Kennebec)

Bill "An Act to Clarify the Laws Relating to Notary Public" (S.P. 140) (Presented by Senator **MAYBURY** of Penobscot) (Cosponsored by: Senator **CHALMERS** of Knox, Representative **STETSON** of Damariscotta)

Which were referred to the Committee on **STATE GOVERNMENT** and **ORDERED PRINTED**.

Sent down for concurrence.

On motion by Senator **DOW** of Kennebec, **RECESSED** until the sound of the Bell.

Recess

After Recess

The Senate called to order by the President.

At this point the Senate retired to the Hall of the House where a Joint Convention was formed.

AFTER JOINT CONVENTION
IN SENATE

The Senate called to order by the President.

(Off Record Remarks)

On motion by Senator **CLARK** of Cumberland

ADJOURNED until 10 o'clock tomorrow morning.